

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRADLEY WHALEY,

Defendant.

No. MJ25-157

SECOND UNOPPOSED MOTION TO
EXTEND TIME TO FILE INDICTMENT
UNDER SPEEDY TRIAL ACT

Note for Consideration:
May 29, 2025

Defendant, Bradley Whaley, by undersigned counsel, respectfully moves the Court for an order extending the time for filing an indictment in this case from June 16, 2025 to September 15, 2025. The government, represented by Assistant United States Attorney Rachel Yemini, does not oppose this motion, which is made on the following grounds.

A complaint against Mr. Whaley was filed in this matter on March 21, 2025. It charges Mr. Whaley under 18 U.S.C. § 875(c) with making interstate threats by telephone against a member of Congress on March 20, 2025. Mr. Whaley was arrested and made his initial appearance on March 24, 2025. The Court released Mr. Whaley on an appearance bond at that time. Mr. Whaley has fully complied with the conditions of his appearance bond since his release. The Court previously granted an unopposed request by the defendant to extend the indictment deadline from April 21, 2025, to the current deadline of June 16, 2025. Dkt. # 19.

SECOND UNOPPOSED MOTION TO EXTEND
TIME TO FILE INDICTMENT UNDER SPEEDY
TRIAL ACT (*Bradley Whaley*; MJ25-157) - 1

Black & Askerov, PLLC
705 Second Avenue, Suite 1111
Seattle, WA 98104
206.623.1604 | Fax: 206.658.2401

1 Under the Speedy Trial Act, an Indictment charging a defendant must be filed within 30
2 days from the date on which the defendant was arrested or served with a summons in connection
3 with such charges. 18 U.S.C. § 3161(b). The current indictment deadline is June 16, 2025.

4 Several related issues underly the request to extend the indictment deadline again.
5 Undersigned counsel has received multiple discovery productions in this case, which have been
6 produced as they have become available. Counsel received the latest production on May 6, 2025.
7 Counsel has been able to review many of the materials and engage in some discussion of them
8 with Mr. Whaley, but that process is ongoing. At this point in time, counsel plans to pursue an
9 application to the Drug Reentry Alternative Model (DREAM) program for Mr. Whaley. In order
10 prepare this application, the defense needs to finalize discovery review, arrange evaluations for
11 Mr. Whaley, gather relevant materials, and synthesize everything into a formal application. Once
12 the application is filed, it may take some time for the DREAM Committee to make a final decision
13 on the application. Based on these issues, the parties agree that the proposed new indictment
14 deadline of September 15, 2025 is a reasonable extension.
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16 Extending the indictment deadline would allow the Court and the parties to conserve
17 resources. At the same time an extension would prejudice few, if any, interests, as the case
18 continues to progress. Accordingly, the defense is seeking an Order continuing the time within
19 which an Indictment must be filed on the ground that the “ends of justice served by taking such
20 action outweigh the best interests of the public and the defendant in a speedy trial,” as permitted
21 by 18 U.S.C. §§ 3161(h)(7)(A), (B)(i) and (B)(iv).

22 The Government is represented by Assistant United States Attorney Rachel Yemini. As
23 noted above, Ms. Yemini has indicated that she does not object to this request for extension of
24 the indictment deadline.
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2 Mr. Whaley agrees with the request to extend the indictment deadline and has executed a
3 Waiver of Speedy Indictment through September 15, 2025, waiving his rights under the Sixth
4 Amendment and the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*, and has further agreed that the
5 period from the filing of this motion through September 15, 2025, shall be an excludable period
6 of time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A).

7 For all the foregoing reasons, counsel respectfully requests that the Court extend the time
8 within which an Indictment must be filed on the grounds that the ends of justice served by a
9 continuance outweigh the best interest of the public and the defendant in a speedy trial under the
10 Speedy Trial Act, 18 U.S.C. § 3161.

11 Respectfully submitted this 29th day of May, 2025.

12 BLACK & ASKEROV, PLLC

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15 Chris Black
16 Attorney for Bradley Whaley
17 705 Second Avenue, Suite 1111
18 Seattle, WA 98104
19 Phone: 206.623.1604
20 Fax: 206.658.2401
21 Email: chris@blacklawseattle.com
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